

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

EXPRESS WORKING CAPITAL, LLC,	§	
	§	
Plaintiff,	§	
	§	Civil Action No. 3:15-CV-2655-D
VS.	§	
	§	
DOPPIO EAST HOLDINGS, LLC , et al.,	§	
	§	
Defendants.	§	

**ORDER**

On August 13, 2015 the court filed an order concluding that the original complaint of plaintiff Express Working Capital, LLC (“EWC”) appeared to predicate subject matter jurisdiction upon diversity of citizenship, 28 U.S.C. § 1332(a), but failed to allege properly the citizenship of any of the named parties, and it directed that EWC file an amended complaint that alleges diversity of citizenship in conformity with 28 U.S.C. § 1332. Although EWC timely amended, its first amended complaint is still defective.


EWC alleges that it is “a limited liability company formed and existing under the laws of the State of Delaware, with its principal place of business in the County of Dallas, State of Texas,” and that “[a]ll members of Plaintiff are citizens of the State of Texas.” Am. Compl. ¶ 1. This is an insufficient allegation of citizenship. Although EWC correctly recognizes that its citizenship is determined according to the citizenship of its members, *see Harvey v. Grey Wolf Drilling Co.*, 542 F.3d 1077, 1080 (5th Cir. 2008), EWC must specifically and properly allege each member’s citizenship. *See, e.g., Rolling Greens MHP, L.P. v. Comcast SCH Holdings L.L.C.*, 374 F.3d 1020, 1022 (11th Cir. 2004) (per curiam) (“To sufficiently allege the citizenships of these unincorporated business entities, a party must list the citizenships of all the members of the limited liability

company[.]”). EWC has done so for the defendants who are LLCs, but not for itself.

Until EWC properly alleges its own citizenship, this court is not shown to have subject matter jurisdiction. *See Am. Motorists Ins. Co. v. Am. Emp’rs’ Ins. Co.*, 600 F.2d 15, 16 (5th Cir. 1979) (per curiam). Accordingly, no later than 21 days from the date of this order, EWC must file a second amended complaint that alleges diversity of citizenship in conformity with 28 U.S.C. § 1332 by addressing the pleading defect identified in this order; otherwise, this action will be dismissed without prejudice for want of jurisdiction.

**SO ORDERED.**

September 16, 2015.

  
SIDNEY A. FITZWATER  
UNITED STATES DISTRICT JUDGE